

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

GREYWOLF HOLDINGS LP, ACM ATM, LLC,
and CASPIAN OPPORTUNITIES, INC.,

Plaintiffs,

-against-

ROBERT ONG,

Defendant.

Case No. 08 Civ. 5971 (SCR)

NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE that, upon the annexed Declaration of Brian T. Belowich dated September 8, 2008 and the accompanying Memorandum of Law, Defendant Robert Ong ("Ong"), by his attorneys, DelBello Donnellan Weingarten Wise & Wiederkehr, LLP, will move this Court, before the Honorable Stephen C. Robinson, at the United States Courthouse located at 300 Quarropas Street, White Plains, New York, on October 10, 2008 at 9:30 a.m., or as soon thereafter as counsel can be heard, for an Order: (i) granting Ong's motion to dismiss the Complaint herein pursuant to Rules 12(b)(6), 9(b), 12(b)(7) and 19 and of the Federal Rules of Civil Procedure; and (ii) granting to Ong such other and further relief as this Court deems just and proper.

Dated: White Plains, New York
September 5, 2008

DELBELLO DONNELLAN WEINGARTEN
WISE & WIEDERKEHR, LLP

By:



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